REV. HAYDEN'S TRIAL.

The State Rests Its Case on the Thirty-Third Day.

MRS. HAYDEN TESTIFIES.

She Explains How and When She Employed Mary Stannard.

YOUNG STUDLEY'S STATEMENTS.

NEW HAVEN, CORD., Dec. 5, 1879. The State had two important witnesses on the stand in the Hayden trial to-day, and both gave evience alike interesting and of value in establishing a motive for the crime. Susan Hawley, half-sister of the murdered girl, was recalled and completed her testimony, the strongest point being her evidence showing that the letter from Mary enclosing one to Hayden was genuine, and that she never tampered with it before trans ferring it to the authorities. Edgar Studley, wn of Mrs. Studley, who employed Mary just before her death, testified that she declared to him that Hay-den was her seducer and that it was for the reason of her condition alone that it was insisted that she se sent home. Nothing was ascertained on the claim that the relations between witness and Mary Stannard were such as to excite his mother's apprehensions and induce her to send the girl away for that reason. Mr. Studley, who is a man of forty, gave his testimony with great care and was one of the best witnesses the State has pre-sented. This afternoon the State rested its case. To fairly sum up the testimony put in during the thirty days it has consumed would occupy columns. It is a reproduction of the testimony at the preliminary trial strengthened at many points. Some of the scientific testimony will not be likely to weigh very heavily with the jury; but by plainer people than experts the State has woven a chain of circumstantial evidence which, as it now stands, points to Hayden and establishes a motive. How far the defence may be able to disrupt this, and aspecially by the evidence of Hayden and his trusting wife, remains to be seen. The latter was called to the stand this afternoon for an hour, the defence gotting the benefit of the jury going off for the weekly recess with her testimony fresh in Upon the opening of the proceedings this morning Judge Harrison, for the State, an nounced the convalescence of one of its most impor-tant witnesses, old Benjamin Stevens, and that-he could be called to the stand as soon as practicable. notice was given in view of the probthic close of the testimony in chief before Stevens' full recovery. The first witness called tointed for his whereabouts on the day of the accounted for his whereabouts on the day of the tragedy. On cross-examination witness was closely questioned as to the condition of his tather, the tenor of the questions pointing to a suspicion that the old man was feigning illness, to avoid being called into court. Nothing to support this view was admitted, the witness asserting that his father had been ill for several weeks, and under the constant care of a reputable physician. On redirect it was shown that the old man is aged sixty-four, and is worth about \$20,000.

SUSAN HAWLEY RESUMES.

Susan Hawley was recalled on redirect examination. Mr. Waller said that the State would not now press this question as to whether the witness had told a neighbor of Mary Stannard's declarations of Hayden's responsibility for her troubles before she (the witness) knew of Mary's death, because the defence had agreed to admit that the witness had not concected and told on this trial a story different from that told on the day of the trangedy. Yet the State would hold this evidence in reserve for use in rebuttal, if necessary, because of any contradiction of her by testimony by the defence. Mr. Waller next referred to the matter of the intimations that this witness may have written the letter which she claumed to have received from Mary enclosing one from Hayden. She refused in court, on cross-examination, to give a specimen of her handwriting, alleging that she was so nervous that her hand trembled. The State offered the defence a private test, but this was not claimed, and Mr. Waller said that he now proposed to have the girl write in court and show the jury how frivolous was the charge of fergery. Mr. Watrous protested that this astimony was now inadmissible. Chief Justice Park roled to that effect, and Mr. Waller then asked whether he could not present a sample of her writing, and ask her whether she wrote it? After some cell reversy the matter went over to be used in rebuttal, if necessary.

so, was it in regard to the displeasure of the Stud-leys? A. Yes.

This being objected to by the defence Mr. Waller explained that the State wished to show by this that Mary gave a different explanation to her father with the object of concealing her shame from him.

The Court ruled it admissible.

Mr. Watrous—Susan, did she give any other reason than about the Studleys to your father? A. I think not; he asked why she came home, and she said the child was troublesome to the Studleys.

Q. Did Mary tell you the same story when she first came home? A. No, sir.

came home? A. No, sir.

This question was repeated in different forms, to get an admission to that effect from the witness, and finally she said it was one of the reasons Mary

gave.
Q. And then when your father came she told him
the same thing? A. That was the excuse she made
to him; she told me after she had been home
a while that the child had been troublesome, but she
had told me something else first.

Mary's letter to the witness was now produced
and submitted to the jury for examination as to

"doctoring."

Mr. Watrous inquired where it was on the day of Mary's death. A. In a box on the table in the front room; I took it out the next day and showed it to

Genry Stone.

Q. And what became of the letter to Dayden which you think was enclosed in this letter? A. It was put in the same box, but Mary took it out and

which you think was enclosed in this letter? A. It was put in the same box, but Mary took it out and burned it.

By Mr. Waller, for the State—Did you know anything about this letter before you received it? A. Yes; Mary had told me that she had sent it.

Henry E. Stone was recalled, and Judge Harrison inquired whether he had ever seen the letter. The defence objecting, Judge Harrison said the State proposed to show that ever since Susan Hawley gave the letter to Mr. Stone, who was the Coroner at Bockland, it had been in official custody. The defence admitting this, the witness was withdrawn.

TRACISA THE MOTIVE.

Edgar Studley, son of the venerable Guilford lady who had employed Mary Stannard just before the murder, was recalled and testified:—Mary Stannard came to work at our house on the 18th of August, 1876, and remained until Sunday, the 3d of September, two days before her death, when I drove her in my carriage to her home, ten miles distint. The letter of Mary to her sister being produced, witness said:—I addressed that letter to Susan Hawley on the Friday evening before the murder; I received the letter from Mary Stannard to address and I passed it to my son to carry to the post office; I do not know whether it was sealed when I wrote the address.

Q. Did you have any conversation with Mary Stannard on the Sunday moraing before you took her home? A. Ies.

Q. Did you have any conversation with Mary Stannard on the Sunday morning before you took her home? A. Yes.

Q. In that conversation did Mary Stannard tell whom she intended to go to see?

"We object," exclaimed Mr. Wairous.
Judge Harrison—We propose to show that at that time Mary informed him of her object and that her deciarations were similar to those made to her sister after her arrival home. We propose to connect that conversation with a declaration and an act by her in this witness' presence after reaching Rockland.

Mr. Wairous—If the same legal question as to the admissibility of Mary's declarations is now presented again we don't care to discuss it, for Your Honors nave ruled such evidence admissible. But this is only explanatory of the set of going home, not the act of going to see Hayden.

The Court deceded to admit the question.

Q. Who did Mary tell you she purposed to see on reaching Rockland? A. She did not tell me her motive directly—until after I had had some conversation with her.

Q. Well, then, what did she say her motive was?

A. She said she was going home to see Mr. Hayden, and as soon as she could.

Q. For what purpose?

Mr. Jones—We object. That don't come within the ruling. It is not explanatory of an act, but a future intext.

After further argument Judge Harrison said the

After further argument Judge Harrison said the State proposed to show that this witness proposed to go with Mary to see Hayden, if he was at home, when they passed his house on the way to Mary's home. This Mary proposed to sacertain by noting whether his corriage was in the shed.

Mr. Watrous—is it claimed that she went home voluntarily?

Mr. Waller—Not at first, but subsequently. When

go, and then exclude up.

rous—We think the real reason was that

r-old Mrs. Studley—insisted on it in part

pprehensions of certain relations between

his witness—and Mary. But the principal

Chief Justice Park remarked that when going home she declared that her purpose was to see Hayden, and therefore, as a part of her set, her declarations were admissible.

Q. If there was any conversation between you and Mary about seeing Mr. Hayden on that Sunday, if Mr. Hayden should be found to be at home, state what it was. A. We had a conversation: she said if Hayden was at home we could see his carriage as we passed by.

"We object to what you have rous.

Chief Justice Park—If his remark and her answer thereto may be given together so as to make her declaration intelligible it is admissable.

Witness continued:—I said to her that if he was at home I would stop to tell him of her condition; she replied, "I wish you would;" as we passed Hayden's house we looked and Hayden's carriage was not there.

Q. Had you had any prior conversations, so that you understood what was meant by the word "condition?"

Objected to, and Judge Harrison said that the State did not claim that Mary said to him that she was pregnant, but that she knew that his mother had told him about it. He told her of conversing with his mother, and Mary assented, and told him that Hayden was responsible for her trouble.

Mr. Watrous—What this man said to her certainly is not explanatory of the act of going, and caunot come within the ruling.

Chief Justice Park—We think if this witness knew Mary's condition it can be shown.

Q. Do you know what her purpose of going to see Hayden was from conversation with her, and if so what was said?

After objection and argument this question was dropped and Judge Harrison renewed the prior question as to the understanding witness had regarding Mary's condition.

Witness replied —I asked her who the gentleman was: whether he was a married or single man; she replied that he was a married or single man; she replied that he was a married or single man; she replied that remain in evidence, Your Honors?" inquired Mr. Watrous.

Mr. Waller said that it being in testimony that it

"Shall that remain in evidence, Your Honors?" inquired Mr. Warrous.

Mr. Waller said that it being in testimony that it was known that the girl was to leave on account of her pregnancy, it was only natural that the witness should make the inquiries related. This explained the use of the word "condition," and is therefore admissible. We don't claim here the name of the party. It only dropped from the witness.

Q. Did you have any further conversation about her condition? A. No, sir.

Q. Did you have any conversation with your mother about it?

Chief Justice Park—We don't think that is necessary. He got his information from some source or other.

Q. Did Mary say anything about having an opera-

other.

Q. Did Mary say anything about having an opera-tion performed and seeing Mr. Hayden about it? A. I don't think she did on the way home, but in the conversation before we started she spoke of having

I don't think she did on the way home, but in the conversation before we started she spoke of having an operation.

Q. Did she say what her exact purpose was in going to see Mr. Hayden? A. Not in so many words.

On cross-examination witness testified that he was a married man at the time Mary lived at the house with his mother; he lived there also. "Where was your wife?" was objected to and withdrawn. Witness stated that his wife was there a part of the time, and there were others besides his mother; his wife went away to New York four days after Mary's arrival, and did not return until after Mary left; witness brought Mary from Rockland in his carriage; her little boy, who was with her throughout, was troublesome.

MAIN HADN'T A LITTLE LAMB.

Q. Haven't you said that he was the 'ugilest little boy you ever saw?" A. (with a smile) It is jossible I did. (Laughter.)

Mr. Waller—Oh, give the boy a chance, Mr. Watrous, for the future.

Q. Haven't you said that his mother couldn't make him mind and whipped him almost to death?

Objected to, and the Court ruled it inadmissible. Mr. Watrous claimed that his object was to show that this boy was largely the cause of Mary leaving the Studey employ.

Q. Have you not said that Mary was sent home because of that troublesome child? A. Never, sir.

Q. Did you say so in Durham a few days before you took Mary home? A. I haven't been in Durham for cleven years. (Laughter.)

Q. Did you know Mary before she came to work

took her home that she must go home? A. In substance.

Q. Did you know Mary before she came to work for your mother? A. No, sir; I only knew she had worked in the village.

Q. When you told her she must go home did she object? A. She did. Continuing, witness said:—Driving up to Rookiand that Sunday! sat on the front and she on the rear seat; I first spoke to her that morning about going home, my mother having previously spoken to me about it; when mother mentioned Mary's condition! said that she must be sent away; mother had not told me of Mary's "periodical condition" and I know nothing about it; on nearing Hayden's house, going to her horse that Sunday, she said if his carriage was in the shed it! would show that he was home; I did not know whether he would probably be at Madison, where he preached Sundays; I don't know whether the girl had any hope of seeing him that day, for I did not know her thoughts.

Judge Harrison—Did you ever say that Mary said to you that if she went up on Sunday she was afraid she might miss Mr. Hayden, who might come over to Guilford to see her in response to the letter she had sent him on Friday?

Objected to and not pressed.

Q. When did your wife go to when she went to

overlooked.

THE DEFENCE—MIS. HAYDEN'S TESTIMONY.

At twenty minutes to four a sensation was created by the calling to the stand of Mrs. Hayden, wife of the secused clergyman. She is a matronly looking lady, of rull physique, pleasant face, and was neatly dressed in dark colors. Under examination she rested her head on her hand and answered deliberately and in pleasing tones. She testified:—My name is Ross C. Hayden and I am the wife of the accused; my age is thirty; I lived in Carver, Mass., at the time of my marriage and Mr. Hayden resided in Fall River; I nave been married ten years and have three children.

As interregatory as to her cocupation before marriage was objected to and passed over.

Continuing she said:—We lived in Greenwich, R. I., for a time, and then removed to Middletown, Conn.; he entered Wesleyan University and meantime preached in West Bocky Hill; then we went to Rockisud in the spring of 1876, and had been living there two years and four months when the affair occurred; he began preaching at once and continued one yoar; afterward at South Madison, ten miles distant.

Q. From the time of your marriage down to the

one year; afterward at South Madison, ten miles distant.

Q. From the time of your marriage down to the time of the murder were the relations of your husband slways pleasant? A. They have slways been pleasant; at the time of the tragedy he had been preaching over a year at South Madison; in addition to caring for my household I taught the Rockland school from September, 1876, until the end of the term, and other terms, making fitty-two weeks in all, during two years and a half, Mr. Hayden, besides preaching, worked on his tarm, which he rented, and this was in consequence of his head troubles; he had typhoid fever once, which left him so he could not study much; he also taught school in South Madison from October, 1875, to March, 1878; I taught during this same period; the first year I taught I had no one to help at our house; I had two children, but Mr. Hayden took care of them during the day, he not teaching at that time; subsequently I had "help," and in April, 1877, Mary Stannard was engaged; my temporary illness led me to hire her first, and then I kept her when I recovered and resumed teaching.

Q. Had you ever heard of her before you came to

gaged; my temporary illness led me to hire her first, and then I kept her when I recovered and resumed teaching.

Q. Had you ever heard of her before you came to Rockland? A. No, sir; we employed her until July 3, she returning home every night; she was not there on Saturdays or Sundays at all; she left in July and returned to work for me in December, 1877, remaining until March 1; she stayed this time every night excepting Friday, when she went home to be with her child; my husband came home that night, so that I did not need her for company.

Q. Did she ever stay in your house over night when your husband was at home? A. No; but let me think; yes, she did; she was taken sick and remained over Friday night; her face and hands were poisoned with poison ty; at other than the times mentioned I employed Mary occasionally to wash and clean house; she worked at other places at intervals, and on returning it was her habit to come to see me; she seemed fond of me and my company; she sometimes obtained from me clothes for her little boy and butter, eggs, &c., for her family; my children were very fond of her.

ROLIDAY FOR THE JUROUS FRODERD.

At this point Mr. Watrous arose and said the defence very much wished to have the jury visit the scene of the tragedy. It would save calling many witnesses as to the topography of the ground, lines of sight, &c. If the Court and dury were willing to morrow would be a good day. The understanding would be that the counsel accompany them and that it be regarded as a court day.

Judge Harrison (for the State)—I should not wish to have anything assid to the jury, and if the visit is agreed upon the Sheriff should be assisted by sev-

eral deputies in keeping strangers from talking or interfering in any way with the jurors. We don't want the trial broken up by some one getting hold of a juror and talking with him about this case.

Mr. Watrous—We do not object to that. But we would like to have counsel along to point out the various places which have been testified about. Let us get out of the woods we have been in here and get into the woods of nature.

Judge Harrison—I saggest that if the judges can, they also go, and that the Sheriff take Hayden along and to the bedside of Benjamin Stevens and the Court take his deposition.

Mr. Watrous—We can't do all this in one day.

A juror—Our families expect some of us to "hum" to night.

A luror to night.
This was followed by a discussion among the jurors, who finally agreed they could go to-morrow. Chief Justice Park—It will get generally noised around and the whole town would be out. There should be time to make proper arrangements to present interference.

should be time to make proper arrangements to prevent interference.

After a private conference between judges and
counsel it was concluded to defer the visit to some
future time (probably next week), and the court then
adjourned to Tuesday noxt, at ten o'clock.

It is anticipated that the arrangements will be
made, if at all, privately, carriages prepared and the
jury and others make a sudden and unexpected
start, so that the people of Rockland, to which there
is no tolegraph wire, may not be apprised of their
coming. It is also understood that the State will insist on a written agreement with Hayden's counsel
as to the places to be visited.

ANOTHER ALLEGED POISONER.

[BY TELEGRAPH TO THE HEBALD.]

CHICAGO, Dec. 5, 1879 Christopher Kegel, an old farmer, sixty-five years of age, died suddenly at his home, in East Orland, in this county on the 10th of November last. Since his death there has been considerable gossip, as charges have been made that Daniel Zinnel, a hor doctor, who made his home with Kegel for some six weeks prior to Kegel's death, had had illicit relations with deceased's wife, and that they are responsible for his death. It is claimed that when Dr. Harmon was called to prescribe for the deceased Zinnel threw his medicines out of the window and stated he would attend to the case himself. Zinnel purchased some bluestone a few days before Kegel's death to use, as he claims, to doctor a horse. This story has since been found to be untrue, and when asked what he had lost it through a hole in his pocket.

These facts taken in connection with the assertion that Kegel's wife, who is only thirty years of age, has been apparently unconcerned in regard to her ausband's death, and that Zinnel has continued to make his home with her coming to the car of Justice Ass Farum, he yesterday had Zinnel committed to the County Jail without bail pending an analysis of the deceased's stomach.

A reporter visited the accused in the fail this doctor, who made his home with Kegel for son

stomach.

A reporter visited the accused in the fall this morning. He denied the charge and stated that if Kegel was poisoned it was by some other party. Two years ago Zinnel was arrested for committing an assault on a lady eighty-five years of age, but he was not convicted.

FRANK WALTON'S CASE

[BY TELEGRAPH TO THE HERALD.]

WAYNESBORO, Miss., Dec. 5, 1879.

An appeal having been granted in the case of Frank Walton, sentenced to be hanged here to-day for the murder of James Sullivan in June last, the execution is postponed until action can be taken on the appeal.

THE "DROP" IN MARYLAND.

MEDFORD WATERS, A COLORED MURDERER, EXECUTED-A VERY BRIEF ADDRESS FROM THE SCAFFOLD-DEATH MADE EASY.

ELETON. Dec. 5, 1879. Preparations for the execution to-day of Medford Waters (colored), aged eighteen, for the murder on November 13, 1878, of Jenkins Whaley (colored), near Cecilion, in this county, were completed this morning by the erection of a scaffold on the almahouse property, three and a half miles from the town. Waters was visited yesterday by Rev. Mr. Williams and other colored ministers, and his manner, heretofore indifferent, was changed somewhat. Since his sentence he has been visited in succession by Rev. Messrs. Ridgway and Smith, Methodist ministers, Messrs. Ridgway and Smith, Methodist ministers, and Rov. H. A. Skinner, an Episcopal clergyman, whose efforts seemed to have no effect on him. More recently Rov. Messrs. Benjamin Freeman, Henry Williams, Charles Bouldin, Samuel Scarr, J. H. Manley and J. H. Collett, colored ministers, have succeeded in making him realize his situation, assisted by John Perkins, a lay reader, for whom Waters manifested some attachment. The colored ministers left him at ten o'clock last night and he retired, but was unable to sleep. At one o'clock this morning Mr. Perkins went into his cell and prayed with him until six o'clock. He prisouer sleeping a little during that time. Mr. Perkins left him at half-past six o'clock. Hev. Messrs. O. H. Williams and J. H. Collett visited him in his cell at little after eight o'clock, and conducted roligious exercises. The services consisted of the reading of the twenty-third Psalm and the fifth and fifteenth chapters of Revelation by Mr. Collett, and the singing or the hymn, "I'll meet you there." Atter which Waters' breakfast was brought to him. He ate sparingly and smoked a cigar, while the services were continued by singing.

Mr. Perkins came in later and took part in the exception after which Waters' was drawayd for the services after which Waters' was drawayd for the services.

THE BLAIR POISONING CASE.

In anticipation of the trial of Joseph Volkmer and In anticipation of the trial of Joseph Volkmer and Mary Volkmer, charged with administering poison with intent to kill Charles E. Blair, a large crowd as-sembled in the Court of General Sessions yesterday. The prisoners were formally arraigned by Assistant District Attorney Bell, and pleaded not guilty. Judge Cowing ordered the trial to commence on Monday next. Blair and Mary Connolly, witnesses in the case, were remanded to the House of Doten-tion.

MURDERER BELLO IN THE TOMBS.

Frank Bello, the Italian, who on Thursday stabbed and killed Antonio Calendono at No. 423 East 111th and killed Antonio Calendono at No. 421 East 111th street, was yestorday arraigned before Coroner Ellinger. The prisoner admitted the murder, but refused to make a statement regarding the provocation which led to it. Francisco Nercetta, his alleged accomplice, was also interrogated. He too declined to answer such questions as were put to him by the Coroner. They were sent to the Tombe Prison to await the action of the Coroner's jury. The witnesses in the case—namely, Vincenzo Capuccio, Antonio Dematta and Catharine Murhio—were committed to the House of Detention.

THE ROSE STREET MURDER.

Pietro Balbo, the Italian, was arraigned for trial in the Court of Oyer and Terminer yesterday on an indictment for the murder of his wife, at No. 14 Rose street, in this city, in September last. The motive of the alleged murder, all the known facts relating to which have stready appeared in the Highard, is said to have been jedousy. After a jury had been selected and sworn in the Court adjourned to Monday.

"A PURE ACCIDENT."

George Smith, the negro who killed Harriet Saville, in Leonard street, on the 8th ult., was arraigned before Coroner Woltman yesterday and committed to the Tombs, without bail, to aw inquest next week. Smith made a stateme which he said:—"I was married to Harriet three years ago by a colored prescher named."

son, who lives on Seventh avenue. On the morning of the 8th ult. I returned home from the steamer Seth Chapman, on which I was employed. I had a package of chestnuts for her in my hip pocket, and when I pulled them out my pistol fell on the floor and exploded. I did not know that Harriet was shot until she said so. It was a pure accident." Smith avers that he spent four hours at the bedside of the woman in the Chambers Street Hospital on the day before she died, but that the police made no attempt to arrest him.

JERSEY'S MASKED BURGLARS.

JOHNSON, FREDERICKS AND SAWYER INDICTED FOR ROBBING THE HOUGH PAMILY-FACTS ON WHICH THE EVIDENCE AGAINST THEM IS BASED-THE PRISONERS PULLY IDENTIFIED.

TRENTON, N. J., Dec. 6, 1879. glary recently in Wantage township, Sussex county, were brought before the Court of Oyer and Terminar this morning and pleaded not guilty to the indictments found against them yes erday. For three days past large numbers of the best citizens of Wantage township have been in this place anxiously watching, so far as they might, the action of the Grand Jury with respect to this matter. Thirty-seven witnesses were subponned to appear before the Grand Jury in this case and many others that has ever occurred in this county and great interest is manifested on all sides.

BRIEF RESUME OF THE CRIME, About two o'clock one morning Mr. Sanford Hough and his wife were awakened by the appearsuce in their bedroom of three masked men, who presented revolvers at their heads and threatened to kill them if they made the least noise. Mr. Hough is a wealthy and respected farmer living about six road. Besides himself and wife there were in the house at the time a man named sister Sarah, who is eighty years old. Hough is very nervous man, and his wife has heart disease faturally they were frightened. They begged for their lives, offering to give up everything and prom ising to be very quiet. While one burglar stood guard the other two rifled the house of money to the extent of \$300. The work hand, Stall, aroused by his sister,

ising to be very quiet, While one burglar stood guard the other two rified the house of money to the extent of \$300. The work hand, Stall, aroused by his sister, went to Mr. Hough's room, armed with a revolver, but he was so surprised at what he saw there that he forgot his pistol for the instant. A movement of Hough caused the burglar to turn toward Stall. He told Stall that if any motion was made by him to fire the old man should die. At the same time the burglar called to his communions, and they came up and disarmed, bound and gagged Stall, as they also did his sister. They brought the old sister into the roomstoo, but as she was helpless they took her back to bed again. Before leaving the house they told their victims not to move out of the house for the space of three hours on pain of being shot, saying also that they had just killed Mr. Wilson, the mext neighbor, for disobering instructions. To embarrass pursuit they changed the horses in the stables and out the harness. Mrs. Hough was completely prostrated. Mr. Hough did not recover from his fright sufficiently to allow any one out of the house until ten o'clock the next morning, when he sent Stall to report what had occurred and inquire after his neighbors. None of his neighbors had been disturbed, and all wore greatly surprised and alarmed. CAPTURE OF THE THEVES.

The same evening, just after dark, a young man named DeWitt, while taking milk to the station at Deckertown, saw three strange men at the Midland Depot, in that village, who answered the description of a party he had seen the afternoon before near Mr. Hough's residence. Officers in the village were notified, and at woo of the fellows were arrested on suspicion at the Union House, where they had gone after buying tickets for New York; the other one had taken the westward bound train. The prisoners were not carefully guarded, and an opportunity occurring one of them broke away and ran out of the door, closely followed the other prisoner and would have put an end to his career had not the offic

seen several times—once in the villago—but managed to keep out of the way of the officers. Several evenings later, while the milk train was laying at Martin's Station, near Deckertown, Conductor Johnson saw a man get on board whom he believed to be the escaped burgiar. He telegraphed Conductor Cody at Ogdensburg to be prepared to assist in capturing him. When the train arrived at that place Cody discovered the man on top of one of the cars. Climbing up on one end, and a man named Murphy on the other, after a short struggle they captured the fellow. The prisoner gave his name as John Sawyer, of Boston, and proved to be the man who escaped from the officers at Deckertown. He was in a terrible condition, his feet were badly frozen and be was nearly starved, having eaten nothing but some corn which he had picked up in the fields. He was taken to Deckertown and an examination was held by Tustice Stoddard. Sawyer was handcuffed and placed in the cell with Frederick Crill, who is awaiting sentence for the murder of his daughter. When Sawyer entered Crill had retire! for the night. He has heard of Crill as the crasy murderer, but did not know he was being confined with him at the time. As soon as the hight was removed to the hall Crill stood up in his bed and commenced going through his contertions and making his peculiar noises, and in the dim light reflected through the small hole in the door presented a terrible sight. Sawyer realized the situation at once. The climax was reached when Crill stepped out of his bed and, seixing a club, commenced to chase Sawyer about the coil. The fellow, who but a short time before had been so bold and daring in escaping from the officers of the law, and had suffered such privations in the hope of making good his escape, was now thoroughly frightened by the actions of this old (apparent) lunatic, and, getting down on his knees, begged and cried that the Sheriff remove him from the cell. He said, "My hands are bound; I am helpless; this old man is not responsible for his actions; he w

them threatening to take their lives. To this be made no answer. Crim was finally removed from the cell.

Torin comprises he knew hough.

The Herald correspondent visited the prisoner's cell, in company with Mr. Hough and Thomas H. Stall, the father of Hough's work hand, and heard a conversation between them and John Tobin. Mr. Hough saked Tobin if he remembered working for him six years before. He said he did, and acknowledged that Mr. Hough had assisted him when he was very poor, given him work and been very kind to him. He was asked why he committed the burglary. In answer he said that he know nothing about it, had not been with his two fellow prisoners, and had never seen them until shortly before the arrest; that he was in the neighborhood looking for work, and was travelling alone. He said also he was satisfied he could prove his innecence. Mr. Hough says Tobin is the man who stood guard over him and who did all the talking; he can swear to his voice and to his general appearance. Mr. Stall recognized the three prisoners as the same persons who took dinner with him the day before the robbery and who made inquiries of him concerning Mr. Hough. There is sufficient ovidence to convict them all. Part of the money found on them has been identified and some admissions have been made by them. Mrs. Hough has not recovered from the effects of the shock received that terrible night. She is in a critical condition and will probably not long survive.

"I'LL KILL YOU FOR THAT!"

Roundsman John Clark, of the Twenty-son Roundsman John Clark, of the Twenty-seventh precisiet, appeared at the Chambers Street Hospital last evening, having in his arms a boy who was suffering from three stab wounds inflicted by a large ponknife. One wound was in the shoulder, the second in the side, and the final thrust penetrated the abdomen and is likely to result seriously. When the boy was questioned by the doctor in charge he described himself as Luke Murphy, of No. 27 Washington street. He said a number of his companions with himself had been attending the tair in St. Peter's Church, in Barclay street, and, returning, they began a game of "tag" around a wagon in front of No. 15 Washington street, when one of the boys, named William Stanton, began quarrelling with his younger brother. He protested and told him to leave his brother alone, which the other did not seem willing to do. A quarrel ensued and Stanton, he alleges, drew a knife from his pocket and stabbed him three times, at the same time exclaiming—"I'll kill you for that." The doctor was unable to state the exTHE UTE COMMISSION.

Los PINOS AGENCY, Col., Dec. 4, 1879. The commission is progressing finely. Chief Jack is still on the stand. So far he has proved the most valuable witness yet examined, answering all ques tions promptly and keeping nothing back. aims that the removal of the agency was the con claims that the removal of the agency was the co monogenent of the trouble; that on an elevation 8,700 feet, with frost every month in the year, far-ing was impossible; that he and his hands receiv no rations for a year, which he claims was a vio-tion of the creaty of 1803, and that his engagene with the troops was a fair fight. He calls Dough a squaw man for having attacked the agency, and is sists that a white man under the same circu-stances would have fought Thornburgh.

PAVORABLE RESULTS ANTICIPATED BY SECRE TARY SCHURZ.

Washington, Dec. 5, 1879.
General Hatch, of the Ute Commission now in action at Los Diversifications. sion at Los Pinos, in a telegram to Secretary Schurz to-day says the hostiles are all coming in and favorable result of the work of the Commission i expected. The Secretary is anticipating a corrobors tion of the reported surrender of Chief Colorow.

INDIANS IN CANADA.

AUTHORITATIVE DENIAL OF SENSATIONAL STORIES CONCERNING SITTING BULL'S WAR-RIORS AND OTHER INDIANS ON DOMINION TER-

OTTAWA, Ont., Dec. 5, 1879. The Department of the Interior states there is no foundation whatever for the semantional reports telegraphed from Winnipeg to the Western papers, in which it is made to appear that the Northwest Indians were driven by want to commit overt acts. There has been no such occurrence as that alluded to in connection with Captain Herkimer at the time of the Indian treaty payments in September. At, Fort Ellice the Indians killed three head of cattle, which they thought had been brought there to feed them (the Indians) during their stay. Captain Her-

which they thought had been brought there to feed them (the Indians) during their stay. Captain Herkimer, who happened to be present with some of the mounted police, arrested the Indians who killed the cattle, but released them again on their agreeing that the price of the animals should be deducted from their annuities.

Abbe Martin, Bishop of St. Pasl, had a conference with some of the retugee Stoux, but he did not see Sitting Bull. The sensation about the Indians at Prince Albert has no foundation. They are quiet and well disposed. Colonel Richardson, who is reported to be in Ottawa in connection with the Indian affairs, is bere on private business, having obtained leave of absence. The department have positive information that Sitting Bull is not urging an uprising. Lieutenant Governor Laird has not gone to confor with the Sioux; but advices were received yesterday stating that there was no foundation in fact for the report which obtained credence some little time back that the Sioux were killing settlers' cattle at Prince Albert, and further stating that everything was quiet and no disturbance with the Indians was apprehended. The report that Sergeant Grayburn was shot is true, but it remains to be proved that he was killed by Indians. The opinion of those conversant with the situation as regards the mounted police and the Blackfeet and other Indians near Forts Walsh and MacLeod is averse to the assumption that Grayburn was nurdered by them. The impression is that when the facts are made public it will be seen that the Indians had nothing to do with his death.

The following is an extract from a letter received from Captain Patrick, Dominion Land Surveyor, on duty in Cypress Hills Territory, dated the 10th ultimo:—"The Indians are now all quiet; lots of buffalo. The country north is all burned for a hundred miles."

WINNIPEO, Manitobs, Dec. 5, 1879.

Aundred miles." WINNIPRO, Manitoba, Dec. 5, 1879.

S. P. Wadsworth, agent of the Department or the Interior, who has been superintending the locating of Indian instructors in farming, and who accompanied Superintendent Walker, of the mounted police, and Indian Agent Clark, sent by the Lieutenant Governor to Prince Albert to Interview the numerous Teton-Sioux reported arriving there, has returned and says he is fully convinced of the pacific disposition of these refugees.

INDIAN VISITORS IN THE ME-TROPOLIS

THE WEONGS OF THE PONCAS TO BE RECITED BY INDIAN SPEAKERS TO A NEW YORK AUDIENCE-OPENING UP THE INDIAN QUES-

York and the whole case of the Indian race stated in a new and attractive form. New Yorkers have often had real live Indians among them, in all their pic-turesque barbarity, who lounged around the city with their interpreters, were stared at for a few lays and went away. New York knew no more o the Indian question after their departure than be-fore they came. An Indian speaking English fluently and addressing a New York audience on the rights and wrongs of his race will be something new, but a pretty Indian girl making a speech in good Eng-lish will be a real treat for a city always wanting

something new. nue Hotel. Their names are as follows:—Ms-chu-ns-zhe (Standing Bear), a chier of the Poncas; In-shtathe-am-ba (Bright Eyes), daughter of Iron Eye, Head Chief of the Omahas, and Zon-the-bah (Wood Worker), son of Iron Eye and brother of Bright

the am-ba (Bright Eyes), daughter of Iron Eye, Head Chief of the Omahas, and Zon-the-bah (Wood Worker), son of Iron Eye and brother of Bright Eyes. Their object is to appeal for sympathy for the red race generally and in particular to expose the bad treatment received by the Poncas at the hands of the United States government. A number of meetings will be held and addresses delivered, Bright Eyes being the principal speaker, her brother, Wood Worker, also speaking and such prominent white sympathizers as may be induced to plead their cause. This was the programme in Boston, where they were very favorably received and remained two weeks, but they will prolong their stay here for about a month. Bright Eyes and Wood Worker speak English fluently, but Standing Bear knows only his own language.

WRONGS OF THE PONCAS.

Xesterday estiming the whole party were invited to spend with Mr. Joslah M. Flake at his residence, corner of Seventieth street and Fifth avenue, but, owing to the fatigue of their late unusual exertions, Bright Eyes and Standing Bear were obliged to retire to rest at an early hour and Wood Worker and Mr. Tibbles slone were found there. The following is a summary of the story told of the wrongs of the Poncas —It is claimed that the Poncas are the only tribe of Indians in the United States that have a valid legal title to their land. It was bought from the United States government and held in fee simple. This land is situated along the Niobrara River, in Dakota, and they lived there as early as 1803 at least. They were always friendly to the United States, but, notwithstanding this, they were "robbed of their land." in May, 1877, by an order of the Executive and taken to the Indian Territory, where they have since been held by force. The land given them, it is claimed that he had never 30d died in three months in their new quarters. There were ten chiefs, of whom Standing Bear was the second, and having lost all his children and many of his friends he decided to run away and go back, as he said, "to his

Perces, Modocs and Cheyennes sufered in the rame way.

PROGRAMME OF WORK.

It is on these topics the Indian orators and their white friends intend to speak to New York audiences with a view to make the Indian question better understood. No definite time has yet been fixed for the first meeting, but it will be announced in a few days. There are four other tribes kindred to the Poncas and speaking the same language, viz., the Omahas, Orages, Quapaws and Kaws. Wood Worker informed the Hinald Property that he and his sister learned English at the school on the reservation, and he speaks it with great fluency. He is a young man of fine physiquo and a handsome, intelligent face. The whole party dress in ordinary civilian dress and look quite at their esse.

Suit has been begun in the Brooklyn City Court by Mrs. Catherine Banta against Francis G Quevedo, secretary of the Park Commissioners, to recover \$10,000 under the Civil Damage act. Plaintiff sets forth that the defendant owns the premises on TWENTY-FIVE MILE WALK.

EXCITING STRUGGLE AT MADISON SQUARE GAR DEN-J. B. CLARK THE WINNER.

An exciting twenty-five mile walk for the championship of America took place at the Madison Square Garden last evening, the start being made a annual contest for the championship, and was under the auspices of the Knickerbocker Athletic Club, at their regular winter meeting. Only a small audience was present, not five hundred persons being in the building at any time, among whom were a dozen ladies. But the walking was good enough to have drawn a crowd, if the peripatetic feyer had been raging at the time in the city. Thirteen entries were made for the race, Budd How, the winner of last year, being No. 1 on the list. The others were W. B. Cengdon, New York city; Alfred Varian, Knickerbocker Yaent Club; Thomas M. Buckley, of the Adelphi A. C.; Daniel Lebane, Pastime A. C.; Charles Pfaff, Jr., Knicker-Lehane, Pastime A. C.; Charles Plan, Jr., Raicase-bocker A. C.; George A. Vandenhoff, Jr., Ravens-wood A. C.; C. A. Davenport, Adelphi A. C.; William O'Keefe, Manhattan A. C.; A. Rehage, Clinton A. C.; J. B. Clark, Eclipse A. C.; T. F. Smith, Montgomery A. C., and John Macauley, American A. C. Prizes of silverware were offered for the first, second and third in the race.

The start was made in good style, but almost in a

third in the race.

The stars was made in good style, but almost in a moment the difference in gait was apparent. A little cluster of four—Smith, Clark, O'Keefe and Lahano-troke away from the rest and kept close together, while the others straggled behind at irregular intervals. How, who was a favorite at the start, fell behind half a dozen, but after walking a couple of miles at a moderate gait he warmed up and went to work for the lead. His style of walking is most surprising, and to one who did not know his record it seemed good evidence that he would not last for five miles. Every joint in his body seemed double and every muscle seemed to be working both ways to its ulmost limit. His arms swung like flails and each hip seemed thrown out of joint at every other step. His features were as active as his limbs, and photographs, even if taken at the shortest intervals, would have had barely a family resemblance. Notwithstanding this apparently reckless exponditure of force he kept at his work, and cropt by man after man till he took his place in the group of four that still continued shead. The applicance that he got warmed him up, and his took the lead, and kept it for several miles, wishout any apparent extra exertion. The direct inverse cond, Clark third and Smith fourth. The field was still a straggling one, but none of the thirteen gave up the contest until after ten miles had been passed. This was done in the Arm, Clark coming in first, O'Keefe second, Clark third and Smith fourth. The field was still a straggling one, but none of the thirteen gave up the contest until after ten miles had been passed. This was done in 1h. Arm, Clark coming in first, Smith second, How third and Vandenhoff fourth. At the ond of fifteen miles Smith had won the position of favorite, as well as the lead. He walked apparently "withing himself," easily and gracefully, and without spurting he had picked up place after place till it looked as though he would finish winner. The fifteen miles were done in 2h. 16 fin. fully, and without spurting he had picked up piece after place till it looked as though he would finish winner. The fifteen miles were done in 2h. 16m., Smith first, How second and Clark third. The gait among the leaders had been aimost a nine minute one, and Congdon, Lehane and Pfaff had retired. The others kept at their work, and the twenty mile post was passed in 3h. Sm. 10s. Clark was now leader, but led Smith only by a few feet, and the race was apparently between them slone for first place. Buckley was third and O'Keefe fourth. At the twenty-first mile Smith staggered, and the audience knew what his friends had known all the evening—that he was slok man. A friend was by his side and supported him as he seemed about to fall. For nearly half a minute he rested, with his army across his friend's shoulder, and then straightening up he stopped out at the same gait he had been in for three hours. A burst of appleuse followed and he hurried after Clark, a good second, with a diminished chance for first place. It was only for a few minutes longer, however, that he could keep at work, and when he retired the race looked virtually settled. Unless one of the three broke down—and there was no prospect of it—Clark, Buckley and O'Keefe stood to win the silverware. It became a question of interest whether the best record would be beaten, which was not impossible. The best English record is a minute and odd seconds inside of four hours, and this, it was soon seen, would stand as the best. The best American record was made by Armstrong in th. 9m. 19s., and this was beaten, Clark making a spurt on the last mile and finishing the race in th. 3m. and 35s. Buckley finished second and O'Keefe third.

DECISIONS BY THE BOARD OF REVIEW OF THE NATIONAL TROTTING ASSOCIATION.

The Board of Review of the National Trotting The Board of Review of the National Trotting Association held a longthy executive session at the Fifth Avenue Hotel yesterday. At eleven o'clock last night they announced a few of their decisions, of which the following are the most important:—

867. J. H. Phillips, Philadelphia, Pa., vs. Brocklys Driving Park.—The Board ordered that Meesrs. Williams & Son, the late managers of the park, be suspended until the entrance money wrongfully obtained from Phillips be returned.

882. A. Dolan, Poughkeepsie, N. Y.—The application for the removal of Dolan's suspension is granted; but the horses Charles Hayden and Iona are still lable under a previous order.

granted; but the horses chartes are still inble under a previous order. 884. Joseph Parker, Allegheny, Pa., vs. Oak Grove Association, Warren, Ohio.—Bradley's suspension is

removed.

The application of Alden Goldsmith, of Watonville, N. Y., for the removal of the penalty pulsion imposed upon his bay golding Alley.

tonville, N. Y., for the removal of the penalty of expulsion imposed upon his bay gedding Alley, at Bes con Park, Boston, last September, is granted an the horse restored. The Board held that the judge of the race should have been governed by rule 28 and where they failed to establish any implication of the owner in the alleged "pulling," the horse should not have been punished and they had nright to order his expulsion.

The Board made a final ruling in the Edwin Forres case. As to the charges affecting Charles 5, dreas it was held that the evidence was so condicting and directly in opposition, and that there was such want of corroboration for or against him, it was of dered that this branch of the case be dismissed. A to the accusations affecting Dan. Mace, it was also or dered that this branch of the case be dismissed. In relation to the other parties place under penalty for being implicated in the great turf fraud, the Board adheres to its previous action, and the case is dismissed from the docket and will not be again considered. The effect of this decision is to relieve Higbee, Glidden and Biggs, and set them free, which, with the Board previous ruling, all those guilty of perpetrating the greatest turf fraud or the age are now relieved from ponalty, except Edward Fyle. He still stands expelled.

RACING IN CALIFORNIA.

OAKLAND PARK, NOVEMBER 27, 1879 .- Purse \$100;

heats of a mile.

J. Stinson's ch. h. Lee, by Olivar Cromwell, his dan Virginia, by Revenue.

1 L. Steiner's b. g. Jim Lick, by imp. Haddington, pedigree of dam unknown.

2 Time, 1:49—1:50.

Same Day.—Half-mile dash for \$—.

Sam Brannan

Sam Brannan Little George Time, 0:51.

HORSE NOTES.

The premiums of the Chicago Jockey and Trotting Cluo for the coming year for twelve days' running and trotting will amount to about \$23,000 in purses and added money to stakes.

The Coney Island Jockey Club have the following stakes open:—The Bouquet Stakes, for two-year clus, \$100 entrance, hair forfait, with \$1,000 added, to be run for at the fall meeting of 1880, originally advertised as one mile, has been changed to three quarters of a mile. The two other stakes to be run for at the same meeting are as follows:—The Gran Challenge Stakes, a sweepstakes for all rages, of \$200 each, haif forfeit, \$2,000 added, one mile and a half, and the Long Island St. Leger, for three-year-olds, \$100 ontrance, haif forfeit, with \$1,500 added, one mile and three quarters.

Mr. Pierro Lorillard will sell at private sale the

\$100 ontrance, haif forfets, with \$1,500 added, one mile and three quarters.

Mr. Pierre Lorillard will sell at private sale the following thoroughbred mares and filtes:—Emeraid, bay filly (1876), by imp. Saxon, out of imp. Second Hand, by Stockwell; stinted to imp. Glenlyon. Nell iswynu, bay filly (1875), by imp. Leanington, out of Lady Duke, by Lexington; attinted to imp. Moceasin, Gleaster, bay mare (1874), by imp. Eclipse, out of Cliats (dam of Olitips), by Lexington; bred to imp. Glenlyon. Rebecca, sister to Zoo-Zoo (1876), by imp. Australian, out of Mazurka, by Lexington; stinted to imp. Saxon. Margueries, bay filly (1875), by imp. Eclipse, out of timp. Merry Wife, by Headsman; stinted to imp. Glenlyon. Orange (hrl., chestnut mare (1870), by Colossus, out of Sally Watson, by Ringgold; stinted to Oakishd. Vixen, bay filly (1876), by imp. Saxon, out of Coquette, by Lexington; stinted to imp. Moceasin. Phantom, bay filly (1876), by imp. Saxon, out of imp. Masterman, by Kingston. Poetry, bay filly (1876), by Longfellow, out of Orange Girl, by Colossus; stinted to Busmarck, trotter. Spirit (sister to Silent Friend), chestnut filly (1876), by imp. Australian, out of Epringbrook, by Lexington; stinted to Bismarck, trotter.

SPORTING NOTES.

won, killing 42, Mr. Baylis 39.

The return match at 100 glass balls, between Mesars. D. L. Ghidersleeve and William Quimbo, tool place near Red Bank, N. J., yesterday. The balls were thrown from a revolving trap, 21 yards rice Hogardus rules. The match was for \$100 a side Mr. Ghidersleeve won, breaking 89, Mr. Quimbo 83.

Twenty-four gentlemen shot for a pigeon gun, of fered by Capsain Eliis, of the Middleese Gun Club, as Rainway, N. J., yesterday atternoon. The condition were 10 birds each, 5 at 21 yards rise and 5 at 2 yards. Mr. M. Dexter, of the Long Branch Pigeon Club, won by killing all his birds. The next best